

Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P20670 #5
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/763,617	
INTERNATIONAL APPLICATION NO. PCT/EP99/06486	INTERNATIONAL FILING DATE 3 September 1999	PRIORITY DATE CLAIMED 5 September 1998	
TITLE OF INVENTION GABA UPTAKE INHIBITORS HAVING A PYRROLIDINE STRUCTURE			
APPLICANT(S) FOR DO/EO/US Klaus WANNER, Günther FÜLEP, and Georg HÖFNER			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.			
<ol style="list-style-type: none"> <li><input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. .371(c)(4)). "Executed"</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).</li> </ol>			
Items 11 to 16 below concern other document(s) or information included:			
<ol style="list-style-type: none"> <li>11. Assignee: <u>BDD BEROLINA DRUG DEVELOPMENT AB of Svedala, SWEDEN</u></li> <li>12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>14. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> Figure of Drawing to be published _____</li> <li>18. <input checked="" type="checkbox"/> Other items or information: Cover Letter. Copy of Form PCT/DO/EO/905.</li> </ol>			

U.S. APPLICATION NO. (If known, see 37 CFR 1.491)	INTERNATIONAL APPLICATION NO.	TORNEY'S DOCKET NUMBER		
09/763,617	PCT/EP99/06486	P20670		
19. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS		
Basic National Fee (37 CFR 1.492(a)(1)-(5)):		PTO USE ONLY		
Search report has been prepared by the EPO or JPO. .... \$ 860.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482). .... \$ 690.00				
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO(37 CFR 1.445(a)(2)). .... \$ 710.00				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO. .... \$1,000.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). .... \$ 100.00				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <input checked="" type="checkbox"/> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00		
Claims	Number Filed	Number Extra	RATE	
Total Claims	15	- 20 =	0	X \$18.00 \$ 0.00
Independent Claims	1	- 3 =	0	X \$80.00 \$ 0.00
Multiple dependent claim(s) (if applicable)		+ \$270.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =		\$ 0.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$ .		\$ 65.00		
SUBTOTAL =		\$ 65.00		
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +		\$ 0.00		
Extension of Time fee in the amount of \$		\$ 0.00		
TOTAL NATIONAL FEE =		\$ 65.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 0.00		
TOTAL FEES ENCLOSED =		\$ 65.00		
05/13/2001 LLANDGRA 00000042 09763617 01 FC:254 65.00 OP		Amount to be refunded	\$	
		Charged	\$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$65.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u>.</p>				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF: Neil F. Greenblum GREENBLUM & BERNSTEIN, P.L.C. 1941 Roland Clarke Place Reston, VA 20191 (703) 716-1191				
 SIGNATURE Neil F. Greenblum NAME <u>Raym. 31, 2-16</u> 28,394 REGISTRATION NUMBER				

P20670.P08

PROSTAK REGISTRATION 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Klaus WANNER et al.

Serial No : 09/763,617  
(National Stage of PCT/EP99/06486)

I.A. Filed : September 3, 1999

For : GABA UPTAKE INHIBITORS HAVING A PYRROLIDINE STRUCTURE

**COVER LETTER**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed declaration of the International Application set forth in the Notification mailed April 17, 2001 which sets a two month period of response until June 18, 2001 (being that June 17, 2001 falls on a Sunday),

Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing

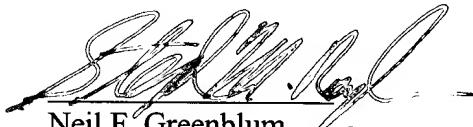
Under 35 U.S.C. 371;

- an executed Declaration and Power of Attorney;
- a check in the amount of \$65.00 to cover the surcharge for late filing of the Declaration.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the  
below listed number.

Respectfully submitted,  
Klaus WANNER et al.

  
Neil F. Greenblum  
Reg. No. 28,394  
Reg. No.  
31,096

June 8, 2001  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke  
Reston, VA 20191  
(703) 716-1191



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/763617	WANNER	K P20670
INTERNATIONAL APPLICATION NO. PCT/EP99/06486		
I.A. FILING DATE		PRIORITY DATE
03 SEP 99		05 SEP 98
DATE MAILED: <b>17 APR 2001</b>		
NEIL F. GREENBLUM GREENBLUM & BERNSTEIN 1941 ROLAND CLARKE PLACE RESTON, VA 20191		

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.

RECEIVED

APR 20 2001

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(c)).

4. Additional claim fees of \$ \_\_\_\_\_ as  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875  PCT/DO/EO/920

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

FORM PCT/DO/EO/905 (March 2001)